

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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SERGIO BAZALDUA.

| Case No. 2:19-cv-00475-GMN-CWH

**Plaintiff.**

## ORDER

v.

BRIAN WILLIAMS, *et al.*

## Defendants.

## I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

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II. CONCLUSION

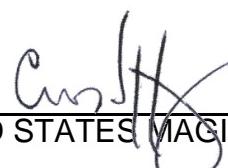
2 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL  
3 SEND Plaintiff the approved form application to proceed in forma pauperis by a prisoner,  
4 as well as the document entitled information and instructions for filing an in forma pauperis  
5 application.

6 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
7 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on  
8 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
9 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
10 fee and the \$50 administrative fee).

11 IT IS FURTHER ORDERED that failure to comply with this order will result in a  
12 recommendation that the case be dismissed without prejudice.

13 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint  
14 (ECF No. 1-1), but shall not file it at this time.  
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16 DATED March 26, 2019

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18 UNITED STATES MAGISTRATE JUDGE  
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